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SENSITIVE

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DEPARTMENT FOR AF/E AND DRL/ILCSR FOR TU DANG
LONDON AND PARIS FOR AFRICA WATCHERS
DOL/ILAB FOR TINA MCCARTER

E.O. 12958: N/A

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SUBJECT: ERITREA 2008 WORST FORMS OF CHILD LABOR

REF: 08 STATE 127448

¶1. (U) Per reftel the following provides the answers for the Department of Labor to complete the Worst Forms of Child Labor Report. Sections are keyed to questions posed in reftel para 9. Eritrean officials routinely fail to provide basic statistical information. The answers will also be sent via email attachment to Sarah Morgan at the Department of Labor.

Report follows:

A) Laws and Regulations Proscribing the Worst Forms of Child Labor

¶2. (SBU) Article 68/1 of the Government of the State of Eritrea's (GSE) Labor Proclamation No. 118/2001 sets the minimum age of employment at 14 years and section 3(9) states that apprentices may be hired at the age of 14. Young persons between the ages of 14 and 18 may not work between the hours of 6 p.m. and 6 a.m., and they may not work more than seven hours per day. Young persons are not permitted to work in jobs that involve heavy lifting, contact with toxic chemicals, underground work, the transport industry, dangerous machines, exposure to electrical hazards, or the commercial sex trade.

¶3. (SBU) The worst forms of child labor may be prosecuted under different statutes in Eritrea. Article 16 of the unimplemented Constitution prohibits slavery and forced labor except when authorized by law.

¶4. (SBU) Proclamation 11/199 prohibits the recruitment of children under 18 years of age into the armed forces; however local practice indicates that children under the age of 18 have been conscripted into the military. Eritrean law criminalizes child prostitution, pornography, and sexual exploitation. Article 605 of the Criminal Code prohibits the procurement, seduction, and trafficking of children for prostitution.

¶5. (SBU) Most Eritreans receive their initial military training during their 12th year of high school, when the GSE requires that all able-bodied 12th graders attend school at a facility adjacent to the Sawa Military Training Camp. Students complete their final year of high school and receive initial military training regardless of their age at the time. As a result, children as young as 14 and 15 years of age may receive initial military training. Military service is compulsory for all able-bodied Eritreans, and there is no legal limit on the length of time an individual might serve in the

military.

¶6. (U) Eritrea has not ratified ILO Convention 182.

B) Regulations for Implementation and Enforcement of Proscriptions
Against the Worst Forms of Child Labor

¶7. (SBU) Inspectors from the Ministry of Labor and Human Welfare (MLHW) are responsible for enforcing child labor laws. Legal remedies available to the labor ministry include criminal penalties, fines, and court orders. According to UNICEF, limited resources and a small number of inspectors impedes the MLHW's ability to conduct investigations. There is no information on the level of resources at the MLHW devoted to investigating child labor abuses. There is no information on the number of inspections carried out in the past year.

(NOTE: The GSE has a high level of distrust of foreign mission officials and would not make representatives available to discuss the report. The availability of information on this topic is extremely limited. END NOTE.)

C) Social Programs Specifically Designed to Prevent and Withdraw
Children from the Worst Forms of Child Labor

¶8. (SBU) The GSE is implementing a National Program of Action on Children, coordinated by its National Committee on the Rights of the Child, which was anticipated to be completed by the end of 2007. The UN Committee on the Rights of the Child, however, is concerned that the GSE Committee on the Rights of the Child does not have sufficient resources to implement its mandate. There is a plan of

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action on child labor that primarily focuses on integrating or reintegrating children with families, communities, and schools as a means of preventing child labor, or rehabilitating children engaged in child labor. Over 5,000 street-working children were enrolled in the UNICEF funded programs in 2008, an increase from the 2006 estimate of 3,700 children. The GSE also partnered with UNICEF on planning a program to ensure that 100,000 girls completed primary school in three target regions.

¶9. (SBU) The MLHW works with at-risk children by providing a small subsidy to their families to help with food and clothing, as well as counseling services to help children reintegrate into their nuclear or extended families. At-risk children are also enrolled or re-enrolled at local schools, and the MLHW tracks their development through local committees or ministry employees. The government has a program to identify children involved in commercial sex work and reintegrate them with their families and society. Nearly 300 children involved in commercial sex work received support through this program in 2007 (statistics for 2008 were unavailable). The government is also making efforts to assist street children; they received UNICEF-funded allowances to purchase uniforms and books so that they could attend school, while those older than school age were sent to private training centers designed to help them learn a vocation and reintegrate into the community. These types of prevention and reinsertion activities are one of the ministry's primary activities to address child labor issues.

¶10. (SBU) The GSE has conducted awareness campaigns through the state media for the general public and has conducted training for officials charged with enforcing child labor laws. Through state media, the government routinely provides information on its strategy and its obligations under the Convention on the Rights of the Child.

¶11. (SBU) The GSE is implementing the Eritrea Education Sector Investment Project with USD 45 million from the World Bank. The project is designed to increase enrollment and completion rates in basic education, especially for disadvantaged children, and to improve the quality of basic education by building classrooms, establishing a Teacher Training and Development Unit within the Ministry of Education, and implementing the Ministry of Education's curricula and pedagogical reform program. The program began in 2003 and the World Bank's closing date on the grant is 2011. Although

the program has met with success in implementing the pedagogical reform, there has been heavy delay on constructing the classrooms due to government restrictions on importing building materials.

¶12. (SBU) In 2005, the African Development Bank agreed to provide the GSE with USD 28.5 million to support two projects to improve access to basic and secondary education and reduce inefficiencies in the management of the education system. These two projects will construct over 800 new classrooms at both primary and secondary schools, including for special needs education; equip schools; and build capacity within the Ministry of Education.

¶13. (SBU) UNICEF continues to support the GSE in expanding its Education Sectoral Development Plan (ESDP), which provides an operational framework for developments in education. The GSE adopted the ESDP in April 2005. Since 2006, 31 schools have been constructed in the Debub, Anseba, Northern Red Sea, and Gash Barka regions. Around 1,000 girls are supported each year through an incentive scheme involving either direct cash, material support to poor families, scholarships, or provision of accommodation to girls studying away from home. Since 2007, over 5,000 students have been enrolled in a complementary elementary education scheme to integrate over-aged children into primary education. UNICEF is also working with the Ministry of Education to introduce life skills education (health issues, mine risk education, and HIV/AIDS) into the grades 4 and 5 curriculum.

¶14. (SBU) Previously the U.S. Department of Agriculture worked with the government as part of a global effort to provide meals for school children; however, following the GSE ordered closure of USAID and GSE changes in food distribution policy, the U.S. is not providing any bilateral school feeding assistance.

D) Country's Comprehensive Policy Aimed at the Elimination of the

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Worst Forms of Child Labor

¶15. (SBU) The GSE is implementing a National Program of Action on Children, coordinated by its National Committee on the Rights of the Child, which was anticipated to be completed by the end of 2007. The UN Committee on the Rights of the Child, however, is concerned that the National Committee on the Rights of the Child does not have sufficient resources to implement its mandate. There is a plan of action on child labor that primarily focuses on strongly integrating or reintegrating children with families, communities, and schools as a means of preventing or rehabilitating children engaged in child labor. Over 4,200 street and working children were enrolled in the UNICEF funded programs in 2007. Additionally, more than 2,750 street children were supported with cash assistance for school materials in 2008.

¶16. (SBU) Education is free and compulsory through Grade Seven. However, families are responsible for uniforms, supplies, and transportation, which can be prohibitively expensive; such costs discourage many parents from sending their children to school. In addition, schools are not physically accessible to all Eritreans, particularly in rural areas. Education above Grade Seven is not compulsory, and students must pay a nominal fee.

¶17. (SBU) Gross and net enrollment ratios are based on the number of students formally registered in middle school and therefore do not necessarily reflect actual school attendance. In 2007, the net elementary school (grades 1-5) enrollment rate was 50 percent, totaling 248,782 students. The gross middle school (grades 6-8) enrollment rate was 42.3 percent and the net middle school enrollment rate was 23.3 percent (statistics for 2008 were not available). For the school year 2006/2007 the Ministry of Education reported that 141,081 students were enrolled in middle school. The World Bank noted that although elementary and middle school enrollment shot up dramatically during the first few years of independence, there has been a steady decline in the increase of enrollment, particularly among girls, over recent years.

¶18. (SBU) There are reports of a significant disparity in educational access between urban and rural-dwelling children,

primarily because development has been concentrated in urban areas. Available data reports enrollment by region, without differentiating between urban and rural areas. There are also reports of a disparity between the number of boys and girls in school, although this disparity is decreasing due to the decrease in boys' enrollment in school. It is common for girls attending rural schools to leave before the school day ends in order to work at home on domestic tasks.

¶19. (SBU) In 2003, the government added an additional grade to secondary school and required that all students throughout the country attend their 12th and final year at "Sawa," a location adjacent to the Sawa military training facility in the western region of the country.

¶20. (SBU) Students who do not attend this final year of secondary school cannot graduate nor sit for examinations to be eligible for advanced education. Upon completing the examinations, the GSE assigns the student his or her post-secondary course of study. The remote location of the school, concerns about security, and societal attitudes restricting the free movement of girls resulted in few female students enrolling in their last year of high school. There is also concern that this school is under the authority of the military, and at least one official was reported as saying that he considers the students to be members of the armed forces. Students receive military training while at Sawa.

E) Progress Toward Eliminating the Worst Forms of Child Labor

¶21. (SBU) The GSE has not provided any specifics regarding the information requested.

¶22. (SBU) Observations indicate a significant number of children work on the street, in the agricultural sector, and as domestic servants. In rural areas, children often work on family farms and in subsistence farming, engaging in such activities as fetching firewood and water, and herding livestock. Children are expected to

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work from about the age of 5 by looking after livestock and working in the fields. In urban areas, some children work as street vendors of cigarettes, newspapers, or chewing gum. There are also underage apprentices in shops and workshops such as garages or metal workshops.

¶23. (SBU) There have been unconfirmed reports that forced labor by children occurred in the past, but there was no information available on the practice in 2008. In the past some boys were trafficked from Eritrea to Kuwait to work as camel jockeys; however, press reports in spring 2006 stated that these children had been returned to Eritrea. There is a lack of data on the commercial sexual exploitation of children in Eritrea. Some believe that the conflict with Ethiopia and related internal displacement of the population and presence of foreign soldiers has increased the risk of the commercial sexual exploitation of children. UNMEE states there were no reports of child sexual exploitation incidents involving UNMEE personnel in 2008.

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